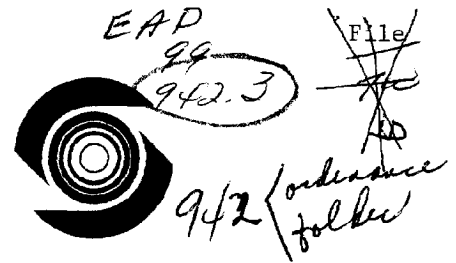


Memorandum



Date: August 20, 1986

To: The City Council
Via The Mayor's Office
Attention Office of Management and Budget

From: Randall W. Hardy, Superintendent **Original Signed by**
RANDALL W. HARDY

Subject: Transmittal of Amendment to Ordinance 112692

A Draft Ordinance, amending Ordinance 112692, dealing with the Lake Union Steam Plant PCB contaminated oil is included for your consideration. Councilmember Rice has already been briefed on our proposal and anticipates considering it at the September 5 Energy Committee meeting. If you have any questions please call Tim Croll of our Environmental Affairs Division at (x3105).
Thank you.

TC:jf

cc; Maureen Sullivan, Mayor's Office
Joan Walters, Office of Management and Budget
Gene Jones, Purchasing Department
Augustin Jimenez, Law Department

bcc: Hardy
Davison
Croll
✓ 942.3
File

ROUTING SLIP
SUPERINTENDENT'S SIGNATURE/SIGN-OFF

DATE: August 20, 1986

ROUTE TO:

DATE
REVIEWED

☒ DAVIS

RD

8/20/86

☒ SUP'T HARR

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☒ RANDALL W. HARDY

PREPARED BY:

Croll

PHONE:

3105

TYPIST:

Falcone

PHONE:

3109

RETURN TO:

EAD

PHONE:

3109

☒ ^{X3105} CALL FOR PICKUP

☐ IN-HOUSE MAIL/ROOM #

RETURN BY:

ASAP

SIGNIFICANT ISSUES, DATES, COMMENTS, ETC:

LAW IS FINALIZING THE ATTACHMENT -

THE ORDINANCE. MUST BE IN TO

CHECK BEFORE 4:00 PM TODAY!!

(12-84)

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SEA315340

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ORDINANCE _____

AN ORDINANCE relating to the City Light Department; amending Ordinance 112692 to authorize procurement of services by request for proposal or sole-source contract to dispose of poly-chlorinated-biphenyl-contaminated fuel oil at the Lake Union Steam Plant; and modifying the performance bonding requirements.

WHEREAS, pursuant to Ordinance 112692, the Purchasing Agent, in cooperation with the Superintendent of City Light, attempted to procure by competitive bidding services to eliminate poly-chlorinated biphenyls (PCBs) from certain oil stored at the Lake Union Steam Plant;

WHEREAS, as recited in the memoranda of the Superintendent of City Light, this bidding process failed for a variety of reasons;

WHEREAS, only firms possessing the proper permit issued by the United States Environmental Protection Agency (EPA) may perform the services required; and, additionally, such services are unique and not widely available;

WHEREAS, for the reasons set forth above, the Purchasing Agent has declared that it is impracticable to procure the services in question through the usual competitive bidding processes;

WHEREAS, the Superintendent of City Light and the Mayor have requested in the materials contained in this ordinance file that the Purchasing Agent, in cooperation with the Superintendent of City Light, be authorized to procure the needed services by request for proposal and negotiation or by sole-source contract in the event the proposal process fails; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Sections 1 and 2 of Ordinance 112692 are amended as follows:

Section 1. As recommended by the Mayor in materials contained in this ordinance file, the option hereby selected for disposal of the Lake Union Steam Plant PCB-contaminated oil is on-site chemical decontamination. The Purchasing Agent in cooperation with City Light Department shall (~~solicit competitive bids for this process.~~) procure the services necessary to complete this process at the best obtainable

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2 price by a Request for Proposal (RFP) process or sole-source
3 contract if such RFP process fails to produce an acceptable
4 contract.

5 In the event that the Purchasing Agent in cooperation with
6 the City Light Department determines that no proposal for
7 on-site chemical decontamination meets the requirements
8 established by the Purchasing Agent and the City Light
9 Department, the Purchasing Agent in cooperation with the City
10 Light Department shall procure the services necessary to
11 complete a legal off-site disposal technique of the PCB
12 contaminated oil at the Lake Union Steam Plant at the best
13 obtainable price as above authorized, which disposal technique
14 shall not include landfill, combustion at sea, or any
15 combination thereof.

16 Section 2. In addition to any other requirements
17 established by the Purchasing Agent and the City Light
18 Department ((in soliciting competitive bids)) in procuring
19 services for on-site chemical decontamination, the following
20 should be required:

- 21 a) ((Bidders)) Proposers must be willing to provide a
22 legal off-site back-up PCB disposal technique (other
23 than land filling, combustion at sea, or any
24 combination thereof) that meets EPA's April 1, 1987
25 deadline, in the event the chemical process proves
26 unsuccessful or otherwise unable to meet the deadline.
- 27 b) ((Bidders)) Proposers must post a ((Five Million
28 Dollar (\$5,000,000)) performance bond to cover all
29 disposal expenses and EPA fines should the contractor
30 not perform by the EPA clean-up deadline of April 1,
31 1987((-)) in an amount no more than the contract
32 amount submitted by the proposers.
- 33 c) The ((bidders)) proposers must agree to take
34 possession of the oil and sell or otherwise dispose
35 of the oil remaining after the decontamination
36 process once it is certified as less than 2
37 parts per million PCB in accordance with EPA
38 regulations.

1 Section 3. Acts consistent with the authority but
2 prior to the effective date of this ordinance are hereby
3 ratified and confirmed.
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(To be used for all Ordinances except Emergency.)

Section 4. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the..... day of, 19 ..,
and signed by me in open session in authentication of its passage this..... day of, 19 ..

President..... of the City Council.

Approved by me this..... day of, 19 ..

Mayor.

Filed by me this..... day of, 19 ..

Attest:
City Comptroller and City Clerk.

(SEAL)

Published..... By..... Deputy Clerk.

CSO 8.1.6